

United States court of appeals
Third Circuit

(65)
1-24-0
SC

William Branch
Plaintiff
v
Russian et., al.
Defendant

FILED
HARRISBURG

JAN 22 2002

Cv. No. 1:CV-00-1728

MARY E. D'ANDREA, CLERK
Per CH
DEPUTY CLERK

(Judge Rambo)

Notice of appeal

if it please's the court here come's William Branch Plaintiff appealing the order of Judge Rambo dismissing Defendant Neil Hefferman Dated Nov. 6, 2001 in that order Page 9 she stated that these Exhibits AA-2 addressed at the informal stage, and Exhibits AA-1 Page 2 Paragraph 2 "I have also reviewed the issues you raise to final Review. the order Date 1-14-02 at Page 2 Note 1. the court states my initial Grievance only Related to a hair cut a full Reading Page 1, 4 lines from the Bottom (also the Harassment and attacks by you staff are an organized effort to stop me etc what are these on going attacks (Neil Hefferman and others) Page 5 in exhibit AA-1 Paragraph 6 (I find no evidence of Harassment or of staff trying to force you to drop your pending 1983 claim. Some exhibit AA-1 Page 2-A appeal to secretary's office of inmate Grievance line 3-9 answered by the Hearing Examiner Chief at Camphill as stated above the prison was aware of

Page 1

of my Problem with mr Hefferman they told me
he ordered the change in my Diet!

Cite:

Lawrence v. Goord 238 F 3d 186 (2nd Cir 2001)
in this case a inmate Reported a staff member, in
Retaliation the staff member began writing misconducts
against this inmate. the court concluded's Exhaustion
Requirements does not apply to claims of Particular
instances of excessive force directed at prisoners or
Individualized Retaliation against Prisoners and
they Cite Booth v. Churner 206 F 3d 289, 300 (3rd Cir
2000) (conditions as affecting everyone)

42 USCA 1997 e(A) does not define the term
condition first impression whether individualized
Retaliations actions against a inmate are Prison
Conditions! within the meaning of § 1997e(A)

I did in good faith inform the prison of the wrong
full acts of staff they Covered ~~the~~ up lost papers
and let the same people I reported supervise and
investigate my reports no impartial investigators this
violates Due Process

for these Reasons I am asking this Court to grant
my appeal

Date 1-16-02

Respectfully
William Branch
PO Box 256
Waymart Pa 18472

PROOF OF SERVICE

I, the undersigned, verify that I have served a copy of this petition by U.S. postage paid mail to:

Mid. Dist Court U.S. Third Circuit Clerk
PO Box 983 601 Market St
Harrisburg Pa 17108 Phila Pa 19106

Alan Gold
7837 old york rd
Elkins Park 19027

MOTION TO PROCEED IN FORMA PAUPERIS

I, the undersigned, move this Honorable Court for an order permitting me to proceed In Forma Pauperis. I had previously been granted In Forma Pauperis status. My financial situation has not changed. I am still unable to pay the cost of the said proceedings.

VERIFICATION

I, the undersigned, verify that the above statements are true and correct and that any false statements herein are made subject to Title 18 Pa.C.S.A. section 4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: 1-16-02

Wm Branch CF3756

S.C.I. Waymart
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